Exhibit A

| No. | Claim Term, Phrase, Element | Plaintiff's Proposed Construction and Evidence in Support | Defendants' Proposed Construction and Evidence in Support |
|-----|--------------------------------|--|--|
| 1 | "cellular-based | Proposed Construction: | Proposed Construction: |
| 1 | location data" | "cellular-based location data" - location data | "data relating to a cellular-based positioning |
| | iocation data | based on a cellular positioning system capable of | system used to determine the location of a |
| | Found in claim | tracking the position of a device in an area of | device" |
| | numbers: | interest | device |
| | numbers. | interest | Intringia Evidanca |
| | 2002 Dotanti 1 14 20 | Intringia Evidanca | Intrinsic Evidence: |
| | '803 Patent: 1, 14, 30 | Intrinsic Evidence: | '803 Patent at 3:8–17 (" In addition to these |
| | | '803 Patent, 3:8–17 (" In addition to these | features, the terminal is equipped with a receiver |
| | | features, the terminal is equipped with a receiver | for acquiring location data from an external |
| | | for acquiring location data from an external | positioning system, which may be satellite- |
| | | positioning system, which may be satellite-based, | based, cellular-based, or any other type capable |
| | | cellular-based, or any other type capable of | of tracking the position of an object in an area of |
| | | tracking the position of an object in an area of | interest."). |
| | | interest."). | 11 , 2 10 24 (41 , 1 1 1 , 1 1) |
| | | 2002 D 4 2 10 24 (47 41 41 41 41 | Id. at 3:18–24 ("In operation, the location data |
| | | '803 Patent, 3:18–24 ("In operation, the location | receiver inputs position information into the |
| | | data receiver inputs position information into the | processor, which then generates an icon |
| | | processor, which then generates an icon | corresponding to the position of the data terminal |
| | | corresponding to the position of the data terminal | on the digital map. Advantageously, the |
| | | on the digital map. Advantageously, the processor | processor updates the position of this icon as the |
| | | updates the position of this icon as the terminal | terminal moves through the mapped region."). |
| | | moves through the mapped region."). | |
| | | | Id. at 3:19–31 ("In operation, the location data |
| | | '803 Patent, 3:19–31 ("In operation, the location | receiver inputs position information into the |
| | | data receiver inputs position information into the | processor, which then generates an icon |
| | | processor, which then generates an icon | corresponding to the position of the data terminal |
| | | corresponding to the position of the data terminal | on the digital map. Advantageously, the |
| | | on the digital map. Advantageously, the processor | processor updates the position of this icon as the |
| | | updates the position of this icon as the terminal | terminal moves through the mapped region. If |
| | | moves through the mapped region. If desired, the | desired, the GPS receiver may be connected to |

| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
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| | Phrase, Element | Evidence in Support | Evidence in Support |
| | | GPS receiver may be connected to the map | the map generation unit, so that upon start-up the |
| | | generation unit, so that upon start-up the | processor and map generation unit cooperate to |
| | | processor and map generation unit cooperate to | automatically generate a digital map based on |
| | | automatically generate a digital map based on the | the location of the terminal. This is a particularly |
| | | location of the terminal. This is a particularly | advantageous feature of the invention because a |
| | | advantageous feature of the invention because a | digital map of a market area with all the |
| | | digital map of a market area with all the | aforementioned icons may be generated without |
| | | aforementioned icons may be generated without | any input from the agent or agent buyer."). |
| | | any input from the agent or agent buyer."). | |
| | | | Id. at 8:45–59 ("Referring to FIG. 4, a second |
| | | '803 Patent, 8:45–59 ("Referring to FIG. 4, a | embodiment of the system of the present |
| | | second embodiment of the system of the present | invention includes a terminal having a map |
| | | invention includes a terminal having a map | generation unit 201, a storage unit 202, a |
| | | generation unit 201, a storage unit 202, a | processor 203, and a display 204. Unlike the first |
| | | processor 203, and a display 204. Unlike the first | embodiment, this terminal is not a stand-alone |
| | | embodiment, this terminal is not a stand-alone | system but rather is a mobile terminal connected |
| | | system but rather is a mobile terminal connected | to a location-positioning system via a |
| | | to a location-positioning system via a | communications link. The positioning system |
| | | communications link. The positioning system | may be the Global Positioning System (GPS) or |
| | | may be the Global Positioning System (GPS) or | any of a variety of other positioning systems |
| | | any of a variety of other positioning systems | which use, for example, satellite data to |
| | | which use, for example, satellite data to | determine location on a digital map. |
| | | determine location on a digital map. Accordingly, | Accordingly, the terminal of the second |
| | | the terminal of the second embodiment includes a | embodiment includes a location data receiver |
| | | location data receiver 205 which may be a GPS | 205 which may be a GPS receiver adapted to |
| | | receiver adapted to operate with a digital map. | operate with a digital map. GPS receivers of this |
| | | GPS receivers of this type are known to those | type are known to those skilled in the art. See, |
| | | skilled in the art. See, for example, U.S. Pat. Nos. | for example, U.S. Pat. Nos. 6,321,158 and |
| | | 6,321,158 and 6,256,582."). | 6,256,582."). |
| | | | |

| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
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| | Phrase, Element | Evidence in Support | Evidence in Support |
| | | '803 Patent, 9:26–42 ("In a fifth step, the GPS | Id. at 9:26–31 ("In a fifth step, the GPS receiver |
| | | receiver in the terminal receives location data | in the terminal receives location data from the |
| | | from the GPS system. As shown in FIG. 6, | GPS system. As shown in FIG. 6, receipt of this |
| | | receipt of this data may be initiated by the "Turn | data may be initiated by the "Turn GPS On" |
| | | GPS On" selection window 177 in FIG. 3. This | selection window 177 in FIG. 3. This location |
| | | location data specifies a current position of the | data specifies a current position of the terminal, |
| | | terminal, to within a small error. The GPS | to within a small error."). |
| | | receiver inputs the location data into the | |
| | | processor, which then generates an icon 280 on | Id. at 9:51–60 ("As an alternative to the first and |
| | | the digital map indicating the current position of | second steps, the second embodiment of the |
| | | the terminal. (Block 250). Because the GPS | method of the present invention may begin with |
| | | receiver is a dynamic device, it continuously or at | activation of the GPS receiver via selection area |
| | | least periodically receives location data which | 208. (Block 260). This will cause the GPS |
| | | updates the current location of the terminal as the | receiver of the terminal to receive GPS data |
| | | terminal moves. The processor receives this data | indicative of a current location of the terminal. |
| | | and causes the current-position icon 280 to move | This data is then forwarded to the processor, |
| | | in a corresponding manner. As a result, a user can | which then automatically activates the map |
| | | observe his location on the digital map relative to | generation unit to generate a map of an area |
| | | the locations of the properties identified by the | surrounding the current location of the terminal, |
| | | selectable icons."). | as determined by the received GPS data. (Block 270)."). |
| | | '803 Patent, 9:51–62 ("As an alternative to the | |
| | | first and second steps, the second embodiment of | See also <i>Id.</i> at Figs. 4, 5. |
| | | the method of the present invention may begin | |
| | | with activation of the GPS receiver via selection | <u>Dictionary/Treatise Definitions:</u> |
| | | area 208. (Block 260). This will cause the GPS | (none) |
| | | receiver of the terminal to receive GPS data | |
| | | indicative of a current location of the terminal. | Extrinsic Evidence: |
| | | This data is then forwarded to the processor, | (none) |
| | | which then automatically activates the map | |

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| No. | Claim Term, Phrase, Element | Plaintiff's Proposed Construction and Evidence in Support | Defendants' Proposed Construction and Evidence in Support |
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| | 1 mase, Element | generation unit to generate a map of an area | Evidence in Support |
| | | surrounding the current location of the terminal, | |
| | | as determined by the received GPS data. (Block | |
| | | 270). Subsequent steps of the method may then | |
| | | proceed as described above."). | |
| | | See also '803 Patent, Figs. 4, 5, Claim 4. | |
| | | Dictionary/Treatise Definitions: | |
| | | (none) | |
| | | Extrinsic Evidence: | |
| | | (none) | |
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| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
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| | Phrase, Element | Evidence in Support | Evidence in Support |
| 2 | "a map generation | Proposed Construction: | <u>Proposed Construction:</u> |
| | unit for generating a | Plain and ordinary meaning | |
| | digital map covering | | This is a 112(6) claim element. |
| | an area of interest, | (Not a means-plus-function term) | Function : Generating a digital map covering an |
| | wherein said area of | | area of interest, where said area of interest is |
| | interest is obtained | Intrinsic Evidence: | obtained from the cellular-based location data. |
| | from the cellular- | '803 Patent, 2:40–52 ("In accordance with one | |
| | based location data" | embodiment of the invention, the data terminal is | Structure: none disclosed. |
| | | a stand-alone system which includes a map | |
| | Found in claim | generation unit, a storage unit, a processor, and a | Indefinite |
| | numbers: | display. The map generation unit generates a | |
| | | digital map of an area of interest designated by a | Intrinsic Evidence: |
| | '803 Patent: 14 | user. Preferably, the map includes street address | |
| | | labels and/or other symbols of topological and | '803 Patent at 4:30–56 ("The map generation |
| | | man-made features in the coverage area. The | unit 1 generates a digital map for presentation on |
| | | storage unit stores property information derived | the display of the terminal. The digital map |
| | | from an MLS database, media information, | covers areas in a real-estate market which, for |
| | | and/or other customized information which may | example, have been designated by a user using a |
| | | be considered important to a customer in | keyboard or other input device. The areas cover |
| | | purchasing, leasing, or renting property. The | one or more counties, cities, or towns in a state. |
| | | processor implements management software | If memory requirements permit, a map of an |
| | | which integrates the property information with | entire state or region of the country (e.g., the |
| | | the digital map."). | mid-Atlantic region) may be generated. |
| | | | Preferably, the maps generated by unit 1 are |
| | | '803 Patent, 4:15–30 ("Referring to FIG. 1, a first | detailed enough to show streets in at least a |
| | | embodiment of the system of the present | portion of the selected geographic area. Other |
| | | invention includes a stand-alone data terminal for | features typically found on paper maps may also |
| | | helping buyers and/or real-estate agents locate | be shown, including but not limited to: |
| | | property information in a specific geographic | topological features (e.g., bodies of water, |
| | | area. The terminal is equipped with a map | mountains, etc.), parks, military installations, |

| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
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| | Phrase, Element | Evidence in Support | Evidence in Support |
| | | generation unit 1, a storage unit 2, a processor 3, | schools, amenities (e.g., shopping areas, food, |
| | | and a display 4. Preferably, the terminal is mobile | lodging, etc.), recreational facilities (e.g., golf |
| | | in nature, taking the form of a notebook or laptop | courses, swimming pools, community centers, |
| | | computer, personal digital assistant, pocket-PC, | etc.), subway and/or train routes, airports, |
| | | web-enabled phone, or other portable device | government buildings, and zoning information. |
| | | having at the very least a processor and memory. | For convenience purposes, the streets and other |
| | | Alternatively, the terminal may be a desktop | features on the map may be labeled by one or |
| | | computer located, for example, in a real-estate | more symbols or icons. Map generation units of |
| | | broker's office, an agent's home, or in any of a | this type are known by those skilled in the art |
| | | variety of other fixed locations. In the case where | and may include, for example, MapPoint offered |
| | | the terminal is mobile, a real estate office may | by Microsoft or those disclosed in U.S. Pat. Nos. |
| | | loan the terminal to buyers for use on their own | 5,844,570 and 5,884,216. A web-accessible map |
| | | time."). | generation program which also may be used in |
| | | 2002 D-4 4-21 20 (%Tl | accordance with the present invention goes under |
| | | '803 Patent, 4:31–38 ("The map generation unit 1 | the name of MapQuest.®"). |
| | | generates a digital map for presentation on the display of the terminal. The digital map covers | Id at 6.0 17 ("FIC 2 is a flavy diagram shawing |
| | | areas in a real-estate market which, for example, | <i>Id.</i> at 6:9-17 ("FIG. 2 is a flow diagram showing steps included in a first embodiment of the |
| | | have been designated by a user using a keyboard | method of the present invention, which may be |
| | | or other input device. The areas cover one or | implemented by the stand-alone system |
| | | more counties, cities, or towns in a state. If | previously described. The method begins by |
| | | memory requirements permit, a map of an entire | having a real-estate agent or other user enter |
| | | state or region of the country (e.g., the mid- | property information into the terminal which |
| | | Atlantic region) may be generated."). | identifies a geographical area having one or |
| | | Triumino region, may be generated.). | more properties available on the market. (Block |
| | | '803 Patent, 4:39–56 ("Preferably, the maps | 10). The property information may be entered |
| | | generated by unit 1 are detailed enough to show | into one of the data fields previously mentioned, |
| | | streets in at least a portion of the selected | and may correspond to a city, town, or county or |
| | | geographic area. Other features typically found | even a specific address."). |
| | | on paper maps may also be shown, including but | , |

| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
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| | Phrase, Element | Evidence in Support | Evidence in Support |
| | | not limited to: topological features (e.g., bodies of | Id. at 6:18-32 ("In a second step, the property |
| | | water, mountains, etc.), parks, military | information is used as a basis for generating a |
| | | installations, schools, amenities (e.g., shopping | digital map by the map generation unit. (Block |
| | | areas, food, lodging, etc.), recreational facilities | 20). If the property information is a geographical |
| | | (e.g., golf courses, swimming pools, community | area, the processor inputs this information |
| | | centers, etc.), subway and/or train routes, airports, | directly into the map generation unit, which |
| | | government buildings, and zoning information. | outputs an appropriate map in response. The |
| | | For convenience purposes, the streets and other | digital map may cover all or part of the area |
| | | features on the map may be labeled by one or | specified according to one or more user-specified |
| | | more symbols or icons. Map generation units of | settings or a default setting. If a specific address |
| | | this type are known by those skilled in the art and | is entered, the digital map may cover a |
| | | may include, for example, MapPoint offered by | predetermined radius centered on that address. |
| | | Microsoft or those disclosed in U.S. Pat. Nos. | Of course, as with many standard map |
| | | 5,844,570 and 5,884,216. A web-accessible map | generation programs the coverage area may be |
| | | generation program which also may be used in | changed by the user. These keys may allow a |
| | | accordance with the present invention goes under | user to zoom the map coverage area in or out, or |
| | | the name of MapQuest.®"). | may allow the map to skew in any desired |
| | | | direction (north, south, east, west).") |
| | | '803 Patent, 8:45–48 ("Referring to FIG. 4, a | |
| | | second embodiment of the system of the present | Id. at 8:45-59 ("Referring to FIG. 4, a second |
| | | invention includes a terminal having a map | embodiment of the system of the present |
| | | generation unit 201, a storage unit 202, a | invention includes a terminal having a map |
| | | processor 203, and a display 204."). | generation unit 201, a storage unit 202, a |
| | | 1000 | processor 203, and a display 204. Unlike the first |
| | | '803 Patent, 9:4–12 ("In a second step, the | embodiment, this terminal is not a stand-alone |
| | | property information is used as a basis for | system but rather is a mobile terminal connected |
| | | generating a digital map by the map generation | to a location-positioning system via a |
| | | unit. (Block 220). The digital map may cover all | communications link. The positioning system |
| | | or a portion of the area specified according to one | may be the Global Positioning System (GPS) or |
| | | or more user-specified settings or a default | any of a variety of other positioning systems |

| setting. If a specific address is entered, the digital map may cover a predetermined radius centered on that address. Of course, as with many standard map generation programs the coverage area may be changed by the user."). 803 Patent, 9:52–62 ("As an alternative to the first and second steps, the second embodiment of the method of the present invention may begin with activation of the GPS receiver via selection area 208. (Block 260). This will cause the GPS receiver of the terminal to receive GPS data indicative of a current location of the terminal. This data is then forwarded to the processor, which then automatically activates the map generation unit to generate a map of an area surrounding the current location of the terminal, as determined by the received GPS data. (Block 270). Subsequent steps of the method may then proceed as described above."). 803 Patent, 9:63–67 ("In another variation of the second embodiment, the GPS receiver may be which use, for example, satellite data to determine location on a digital map. Accordingly, the terminal of the secone embodiment includes a location data re 205 which may be a GPS receiver type are known to those skilled in the a for example, U.S. Pat. Nos. 6,321,158 (6,256,582."). Id. at 9:4-17 ("In a second step, the processor, of the area specified according to one of the area specified settings or a default sett specific address is entered, the digital nap of the area specified according to one of user-specified settings or a default sett specific address is entered, the digital nap operate with a digital map. Accordingly, the terminal coverample, U.S. Pat. Nos. 6,321,158 (6,256,582."). | No. | Claim Term, Phrase, Element | Plaintiff's Proposed Construction and Evidence in Support | Defendants' Proposed Construction and Evidence in Support |
|---|-----|--------------------------------|--|---|
| When location data is received from the receiver, the map generation unit to generate a nature transfer and the map generation unit may automatically area surrounding the current location of | No. | Claim Term, Phrase, Element | setting. If a specific address is entered, the digital map may cover a predetermined radius centered on that address. Of course, as with many standard map generation programs the coverage area may be changed by the user."). '803 Patent, 9:52–62 ("As an alternative to the first and second steps, the second embodiment of the method of the present invention may begin with activation of the GPS receiver via selection area 208. (Block 260). This will cause the GPS receiver of the terminal to receive GPS data indicative of a current location of the terminal. This data is then forwarded to the processor, which then automatically activates the map generation unit to generate a map of an area surrounding the current location of the terminal, as determined by the received GPS data. (Block 270). Subsequent steps of the method may then proceed as described above."). '803 Patent, 9:63–67 ("In another variation of the second embodiment, the GPS receiver may be directly connected to the map generation unit. When location data is received from the receiver, the map generation unit may automatically respond by generating a map of a surrounding | which use, for example, satellite data to determine location on a digital map. Accordingly, the terminal of the second embodiment includes a location data receiver 205 which may be a GPS receiver adapted to operate with a digital map. GPS receivers of this type are known to those skilled in the art. See, for example, U.S. Pat. Nos. 6,321,158 and 6,256,582."). Id. at 9:4-17 ("In a second step, the property information is used as a basis for generating a digital map by the map generation unit. (Block 220). The digital map may cover all or a portion of the area specified according to one or more user-specified settings or a default setting. If a specific address is entered, the digital map may cover a predetermined radius centered on that address. Of course, as with many standard map generation programs the coverage area may be changed by the user."). Id. at 9:57-60 ("This data is then forwarded to the processor, which then automatically activates the map generation unit to generate a map of an area surrounding the current location of the terminal, as determined by the received GPS |

| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
|-----|-----------------|--|--|
| | Phrase, Element | Evidence in Support | Evidence in Support |
| | | '803 Patent, 3:19–32 ("In operation, the location | Id. at 9:63-67 ("In another variation of the |
| | | data receiver inputs position information into the | second embodiment, the GPS receiver may be |
| | | processor, which then generates an icon | directly connected to the map generation unit. |
| | | corresponding to the position of the data terminal | When location data is received from the receiver, |
| | | on the digital map. Advantageously, the processor | the map generation unit may automatically |
| | | updates the position of this icon as the terminal | respond by generating a map of a surrounding |
| | | moves through the mapped region. If desired, the | area on the display."). |
| | | GPS receiver may be connected to the map | C = I + II + F' + 1 + 2 + 4 |
| | | generation unit, so that upon start-up the | See also Id. at Figs. 1, 2, 4. |
| | | processor and map generation unit cooperate to | Evtringia Evidanaa |
| | | automatically generate a digital map based on the location of the terminal. This is a particularly | Extrinsic Evidence: Expert Declaration of B. Bederson, ¶¶ 48-57. |
| | | advantageous feature of the invention because a | Expert Declaration of B. Bederson, 11 46-37. |
| | | digital map of a market area with all the | Dictionary/Treatise Definitions: |
| | | aforementioned icons may be generated without | (none) |
| | | any input from the agent or agent buyer."). | (none) |
| | | any input nom the agent of agent out of. | |
| | | '803 Patent, 5:67–6:2 ("The graphical user | |
| | | interface also organizes the presentation of | |
| | | information output from the map generation and | |
| | | storage units.") | |
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| | | '803 Patent, 6:21–6:32 ("In a second step, the | |
| | | property information is used as a basis for | |
| | | generating a digital map by the map generation | |
| | | unit. (Block 20). If the property information is a | |
| | | geographical area, the processor inputs this | |
| | | information directly into the map generation unit, | |
| | | which outputs an appropriate map in response. | |
| | | The digital map may cover all or part of the area | |

| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
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| | Phrase, Element | Evidence in Support | Evidence in Support |
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| | | '803 Patent, 8:22–29 ("Additionally, the processor may control the map generation unit to display a map covering a predetermined area surrounding the location of the listing. Like in the previous case, the map may include icons representing available property in the area displayed in the map."). '803 Patent, Figs. 1, 2, 3, 4, 5, 6. | |

| No. | Claim Term, Phrase, Element | Plaintiff's Proposed Construction and Evidence in Support | Defendants' Proposed Construction and Evidence in Support |
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| | , | U.S. Patent No. 5,844,570 | |
| | | U.S. Patent No. 5,884,216 | |
| | | Dictionary/Treatise Definitions: (none) | |
| | | Extrinsic Evidence: Rebuttal Declaration of Mark A. Sturza, ¶¶ 34–44 | |
| | | U.S. Patent No. 6,459,782 B1 | |
| | | U.S. Patent No. 6,594,581 B2 | |
| | | *To the extent the Court determines this claim term is a means-plus-function term, Plaintiff contends that corresponding structure for the recited function is described in the specification, as cited above. | |
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| No. | Claim Term, Phrase, Element | Plaintiff's Proposed Construction and Evidence in Support | Defendants' Proposed Construction and Evidence in Support |
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| 3 | "a storage unit for | Proposed Construction: | Proposed Construction: |
| | storing property | "storage unit" – device capable of information | 1 Toposed Construction. |
| | information which | storage functions in a computer system, including | This is a 112(6) claim element. |
| | includes multiple | memory | This is a 112(0) claim element. |
| | listing service (MLS) | memory | Function: Storing property information which |
| | data comprising a | (Not a means-plus-function term) | includes multiple listing service (MLS) data |
| | location, a market | (1vot a means plus function term) | comprising a location, a market price and a |
| | price and a market | Intrinsic Evidence: | market status of an item of property in said area |
| | status of an item of | '803 Patent, 2:40–52 ("In accordance with one | of interest in a database on a mobile computing |
| | property in said area | embodiment of the invention, the data terminal is | device, and obtaining the property information |
| | of interest" | a stand-alone system which includes a map | from said database. |
| | 01 11101 0 00 | generation unit, a storage unit, a processor, and a | |
| | Found in claim | display. The map generation unit generates a | Structure : hard drive, non- volatile memory, |
| | numbers: | digital map of an area of interest designated by a | floppy disk, CD-ROM, flash memory, or a |
| | | user. Preferably, the map includes street address | combination thereof, or equivalent non-volatile |
| | '803 Patent: 14 | labels and/or other symbols of topological and | storage. |
| | | man-made features in the coverage area. The | |
| | | storage unit stores property information derived | Alternatively, if not determined to be |
| | | from an MLS database, media information, | means+function term, "storage unit" includes |
| | | and/or other customized information which may | "storing the property information in a database |
| | | be considered important to a customer in | on the mobile computing device, and obtaining |
| | | purchasing, leasing, or renting property. The | the property information from that database." |
| | | processor implements management software | |
| | | which integrates the property information with | Intrinsic Evidence: |
| | | the digital map."). | |
| | | | '803 Patent at 5:19-31 ("In terms of hardware, |
| | | '803 Patent, 4:15–30 ("Referring to FIG. 1, a first | the storage unit of the present invention may be |
| | | embodiment of the system of the present | any type found in a data terminal or computing |
| | | invention includes a stand-alone data terminal for | device. For example, if the terminal is a |
| | | helping buyers and/or real-estate agents locate | notebook computer, the storage unit may be a |

| No. | Claim Term, Phrase, Element | Plaintiff's Proposed Construction and Evidence in Support | Defendants' Proposed Construction and Evidence in Support |
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| | riirase, Element | * * | ** |
| | | property information in a specific geographic | hard-drive, non-volatile memory, or even a |
| | | area. The terminal is equipped with a map | removable storage medium such as a floppy disk |
| | | generation unit 1, a storage unit 2, a processor 3, | or CD-ROM. If the terminal is a PDA, the |
| | | and a display 4. Preferably, the terminal is mobile | storage unit may take the form of a flash |
| | | in nature, taking the form of a notebook or laptop | memory. If desired, the storage unit of the |
| | | computer, personal digital assistant, pocket-PC, | present invention may include a combination of |
| | | web-enabled phone, or other portable device | the aforementioned storage devices. Those |
| | | having at the very least a processor and memory. | skilled in the art can appreciate that the |
| | | Alternatively, the terminal may be a desktop | aforementioned types of devices are mentioned |
| | | computer located, for example, in a real-estate | merely by way of example, and that if desired |
| | | broker's office, an agent's home, or in any of a | other conventional types of storage devices may |
| | | variety of other fixed locations. In the case where | be used."). |
| | | the terminal is mobile, a real estate office may | |
| | | loan the terminal to buyers for use on their own | Original Prosecution File History, 2/19/03 |
| | | time."). | Amendment at 13 ("The claims, as amended, |
| | | | require generating and displaying information |
| | | '803 Patent, 4:57–5:18 ("The storage unit 2 stores | about a real-estate market for a geographical area |
| | | information considered to be important by a real- | of interest on a mobile computing device. A |
| | | estate agent and/or a buyer in searching for | digital map is generated and displayed on the |
| | | property to buy, lease, or rent"). | mobile computing device for an area of interest. |
| | | | Property information for an item of property in |
| | | '803 Patent, 5:19–32 ("In terms of hardware, the | the area of interest is obtained from a database |
| | | storage unit of the present invention may be any | stored on the mobile device. This property |
| | | type found in a data terminal or computing | information includes at least a location, a market |
| | | device. For example, if the terminal is a notebook | price and a market status of the item of property. |
| | | computer, the storage unit may be a hard-drive, | A property icon associated with the item of |
| | | non-volatile memory, or even a removable | property is displayed on the digital map at the |
| | | storage medium such as a floppy disk or CD- | location of the item of property. In response to |
| | | ROM. If the terminal is a PDA, the storage unit | the property icon being selected, property |
| | | may take the form of a flash memory. If desired, | information about the item of property associated |

| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
|-----|-----------------|--|---|
| | Phrase, Element | Evidence in Support | Evidence in Support |
| | | the storage unit of the present invention may | with the selected property icon is also |
| | | include a combination of the aforementioned | displayed."). |
| | | storage devices. Those skilled in the art can | |
| | | appreciate that the aforementioned types of | <i>Id.</i> at 13-14 ("In addition, Wiese teaches |
| | | devices are mentioned merely by way of | accessing a remote system to gather the sales |
| | | example, and that if desired other conventional | information needed to display symbols at the |
| | | types of storage devices may be used."). | property locations on the map. (Col. 2, lines 62- |
| | | | 67). A shown in Fig. 1, a remote user using |
| | | '803 Patent, 5:67–6:2 ("The graphical user | CPU 72 would have to go through ISP 44, |
| | | interface also organizes the presentation of | Internet 32 and Server 30 to access value |
| | | information output from the map generation and | database 54. In the present invention, the |
| | | storage units."). | property information is obtained from a data |
| | | | base stored on the mobile computing device."). |
| | | '803 Patent, 7:1–14 ("The location of each icon | |
| | | on the map is derived, for example, from the | See also Original Prosecution File History, |
| | | MLS information produced from the storage unit as a result of the search"). | 5/21/03 Notice of Allowability. |
| | | as a result of the search). | Extrinsic Evidence: |
| | | '803 Patent, 8:45–48 ("Referring to FIG. 4, a | Expert Declaration of B. Bederson, ¶¶ 58-64. |
| | | second embodiment of the system of the present | 1 |
| | | invention includes a terminal having a map | Dictionary/Treatise Definitions: |
| | | generation unit 201, a storage unit 202, a | (none) |
| | | processor 203, and a display 204."). | (none) |
| | | processor 200, and a display 201.). | |
| | | '803 Patent, Fig. 1, 2, 4, 5. | |
| | | See also '803 Patent, 3:8–12, 3:32–44, 4:31–38, 6:33–41, 7:30–40, 7:46–55, 8:14–21, 9:18–25, 10:14–26. | |
| | | | |

| No. | Claim Term, Phrase, Element | Plaintiff's Proposed Construction and Evidence in Support | Defendants' Proposed Construction and Evidence in Support |
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| | | <u>Dictionary/Treatise Definitions:</u> The American Heritage College Dictionary (4 th ed. 2004) (storage: " <i>Computer Science</i> The part of a computer that stores information for subsequent use or retrieval."). | |
| | | Microsoft Computer Dictionary (4 th ed. 1999) (storage device <i>n</i> . An apparatus for recording computer data in permanent or semipermanent form. When a distinction is made between primary (main) storage devices and secondary (auxiliary) storage devices, the former refers to random access memory (RAM) and the latter refers to disk drives and other external devices). | |
| | | Extrinsic Evidence: Rebuttal Declaration of Mark A. Sturza, ¶¶ 45–57 | |
| | | *To the extent the Court determines this claim term is a means-plus-function term, Plaintiff contends that corresponding structure for the recited function is described in the specification, as cited above. | |

| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
|-----|-----------------------|---|---|
| - | Phrase, Element | Evidence in Support | Evidence in Support |
| 4 | "a processor for | <u>Proposed Construction</u> : | Proposed Construction: |
| | determining | Plain and ordinary meaning | |
| | information needed to | | This is a 112(6) claim element. |
| | display a property | (Not a means-plus-function term) | |
| | icon for the item of | | Functions : (1) Determining information needed |
| | property at the | Intrinsic Evidence: | to display a property icon for the item of |
| | location of the item | '803 Patent, 2:40–52 ("In accordance with one | property at the location of the item of property |
| | of property on said | embodiment of the invention, the data terminal is | on said digital map, and (2) determining |
| | digital map, and for | a stand-alone system which includes a map | information needed to display property |
| | determining | generation unit, a storage unit, a processor, and a | information about the item of property of the |
| | information needed to | display. The map generation unit generates a | property icon upon selection of the property |
| | display property | digital map of an area of interest designated by a | icon. |
| | information about the | user. Preferably, the map includes street address | |
| | item of property of | labels and/or other symbols of topological and | Structure: none disclosed. |
| | the property icon | man-made features in the coverage area. The | |
| | upon selection of the | storage unit stores property information derived | Indefinite |
| | property icon" | from an MLS database, media information, | |
| | | and/or other customized information which may | Intrinsic Evidence: |
| | Found in claim | be considered important to a customer in | '803 Patent at 2:40-52 ("In accordance with one |
| | numbers: | purchasing, leasing, or renting property. The | embodiment of the invention, the data terminal is |
| | | processor implements management software | a stand-alone system which includes a map |
| | '803 Patent: 14 | which integrates the property information with | generation unit, a storage unit, a processor, and a |
| | | the digital map."). | display. The map generation unit generates a |
| | | | digital map of an area of interest designated by a |
| | | '803 Patent, 4:15–30 ("Referring to FIG. 1, a first | user. Preferably, the map includes street address |
| | | embodiment of the system of the present | labels and/or other symbols of topological and |
| | | invention includes a stand-alone data terminal for | man-made features in the coverage area. The |
| | | helping buyers and/or real-estate agents locate | storage unit stores property information derived |
| | | property information in a specific geographic | from an MLS database, media information, |
| | | area. The terminal is equipped with a map | and/or other customized information which may |

JOINT CLAIM CHART AND PREHEARING STATEMENT Exhibit A Case No. 2:18-cv-00847-JLR

| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
|-----|-----------------|--|--|
| | Phrase, Element | Evidence in Support | Evidence in Support |
| | | generation unit 1, a storage unit 2, a processor 3, | be considered important to a customer in |
| | | and a display 4. Preferably, the terminal is mobile | purchasing, leasing, or renting property. The |
| | | in nature, taking the form of a notebook or laptop | processor implements management software |
| | | computer, personal digital assistant, pocket-PC, | which integrates the property information with the digital map."). |
| | | web-enabled phone, or other portable device having at the very least a processor and memory. | the digital map.). |
| | | Alternatively, the terminal may be a desktop | <i>Id.</i> at 5:32-43 ("The processor 3 may be any type |
| | | computer located, for example, in a real-estate | capable of running a program or script for |
| | | broker's office, an agent's home, or in any of a | performing the information search, retrieval, and |
| | | variety of other fixed locations. In the case where | data integration functions of the invention. If the |
| | | the terminal is mobile, a real estate office may | mobile terminal is a notebook computer, the |
| | | loan the terminal to buyers for use on their own | processor may be a microprocessor running an |
| | | time."). | application program which performs various |
| | | time.). | management functions necessary for |
| | | '803 Patent, 5:32–43 ("The processor 3 may be | implementing the method of the present |
| | | any type capable of running a program or script | invention. These management functions include |
| | | for performing the information search, retrieval, | retrieving information from the map generation |
| | | and data integration functions of the invention. If | and storage units based on various data inputs |
| | | the mobile terminal is a notebook computer, the | and commands, as well as integrating this |
| | | processor may be a microprocessor running an | information for presentation on the display of the |
| | | application program which performs various | terminal."). |
| | | management functions necessary for | , |
| | | implementing the method of the present | Id. at 6:42-48 ("In a fourth step, the processor |
| | | invention. These management functions include | associates the property information obtained |
| | | retrieving information from the map generation | from the third step with the digital map |
| | | and storage units based on various data inputs and | generated in the second step to form an |
| | | commands, as well as integrating this information | integrated output on the display of the user's |
| | | for presentation on the display of the terminal."). | terminal. (Block 40). The integrated output is |
| | | | advantageously arranged in selected areas of a |

| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
|-----|-----------------|--|--|
| | Phrase, Element | Evidence in Support | Evidence in Support |
| | | '803 Patent, 6:19–48 ("In a second step, the | dedicated computer screen which forms all or |
| | | property information is used as a basis for | part of the graphical user interface."). |
| | | generating a digital map by the map generation | |
| | | unit. (Block 20). If the property information is a | Id. at 6:57-67 ("FIG. 3 shows an example of a |
| | | geographical area, the processor inputs this | computer screen generated by the processor |
| | | information directly into the map generation unit, | which integrates the property information and |
| | | which outputs an appropriate map in response. | digital map associated during the fourth step. |
| | | The digital map may cover all or part of the area | This computer screen was generated as a result |
| | | specified according to one or more user-specified | of a user entering location data designating the |
| | | settings or a default setting. If a specific address | geographical area of Arlington, Va. Using this |
| | | is entered, the digital map may cover a | data, the map generation unit generated a map |
| | | predetermined radius centered on that address. Of | 100 covering this area. The processor then |
| | | course, as with many standard map generation | controlled the location on the computer screen |
| | | programs the coverage area may be changed by | where the map is to be displayed. The results of |
| | | the user. These keys may allow a user to zoom | the storage unit search were then integrated with |
| | | the map coverage area in or out, or may allow the | the map. In the particular example shown, the |
| | | map to skew in any desired direction (north, | integration includes the overlaying of icons 110 |
| | | south, east, west). In a third step, the processor | on the map, where each icon represents the |
| | | searches the storage unit based on the property | location of a property available in the region |
| | | information entered by the user, and more | covered. The icons may be in the form of any |
| | | specifically to generate a list of properties in the | symbol or mark. In accordance with a preferred |
| | | specified area and/or their accompanying | embodiment of the invention, the icons resemble |
| | | attributes. (Block 30). This property information | the type of property at that location, e.g., houses, |
| | | may be any of the types previously described, | apartment buildings, lots, etc. The display of |
| | | including MLS data, media information, and | icons on the digital map advantageously give a |
| | | other customized information which may be | user a clear indication of the number and |
| | | considered important to a buyer in searching for a | location of properties in the area."). |
| | | home, apartment, lot, etc. In a fourth step, the | |
| | | processor associates the property information | Id. at 7:1-7:8 ("The location of each icon on the |
| | | obtained from the third step with the digital map | map is derived, for example, from the MLS |

| No. | Claim Term, Phrase, Element | Plaintiff's Proposed Construction and Evidence in Support | Defendants' Proposed Construction and Evidence in Support |
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| | T III ase, Element | generated in the second step to form an integrated output on the display of the user's terminal. (Block 40). The integrated output is advantageously arranged in selected areas of a dedicated computer screen which forms all or part of the graphical user interface."). | information produced from the storage unit as a result of the search. For example, in the area of Arlington shown, the processor search produced ten properties in the area covered by the map. The MLS information corresponding to these properties include addresses which are used by |
| | | '803 Patent, 7:1–14 ("The location of each icon on the map is derived, for example, from the | the processor to generate and then overlay the ten house symbols that appear on map 100."). |
| | | MLS information produced from the storage unit as a result of the search. For example, in the area of Arlington shown, the processor search produced ten properties in the area covered by the map. The MLS information corresponding to these properties include addresses which are used by the processor to generate and then overlay the ten house symbols that appear on map 100. A textual listing of these properties with one or more attendant attributes were then displayed in a separate window 150 adjacent the map. This textual listing included information such as MLS | Id. at 9:18-25 ("In a fourth step, the processor associates the information obtained from the third step with the digital map generated in the second step to form an integrated output on the display of the user's terminal. (Block 240). This results in the display of selectable icons on the digital map and/or textual information in window 170. The first through fourth steps may be performed in a manner analogous to those discussed with respect to the first embodiment."). |
| | | number, street address, city, housing development name, market status (e.g., active, contract, sold, | See also id. at Figs. 1, 4. |
| | | etc.), lot price and/or size, numbers of bedrooms, bathrooms, etc."). | Extrinsic Evidence: Expert Declaration of B. Bederson, ¶¶ 65-72. |
| | | '803 Patent, 8:45–48 ("Referring to FIG. 4, a second embodiment of the system of the present invention includes a terminal having a map | <u>Dictionary/Treatise Definitions:</u> (none) |

| No. | Claim Term, Phrase, Element | Plaintiff's Proposed Construction and Evidence in Support | Defendants' Proposed Construction and Evidence in Support |
|-----|--------------------------------|--|--|
| | 1 m use, Element | generation unit 201, a storage unit 202, a | Lytuenee in Support |
| | | processor 203, and a display 204."). | |
| | | processor 200, and a display 20 ii. j. | |
| | | '803 Patent, 9:12–42 ("In a third step, the | |
| | | processor searches the storage unit based on the | |
| | | property information entered by the user, and | |
| | | more specifically to determine a list of available | |
| | | properties in the specified area and/or their | |
| | | accompanying attributes. (Block 230). In a fourth | |
| | | step, the processor associates the information | |
| | | obtained from the third step with the digital map | |
| | | generated in the second step to form an integrated | |
| | | output on the display of the user's terminal. | |
| | | (Block 240). This results in the display of | |
| | | selectable icons on the digital map and/or textual | |
| | | information in window 170. The first through | |
| | | fourth steps may be performed in a manner | |
| | | analogous to those discussed with respect to the | |
| | | first embodiment. In a fifth step, the GPS receiver | |
| | | in the terminal receives location data from the | |
| | | GPS system. As shown in FIG. 6, receipt of this | |
| | | data may be initiated by the "Turn GPS On" | |
| | | selection window 177 in FIG. 3. This location | |
| | | data specifies a current position of the terminal, to | |
| | | within a small error. The GPS receiver inputs the | |
| | | location data into the processor, which then | |
| | | generates an icon 280 on the digital map | |
| | | indicating the current position of the terminal. | |
| | | (Block 250)"). | |
| | | | |

| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
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| | Phrase, Element | Evidence in Support | Evidence in Support |
| No. | · · · · · · · · · · · · · · · · · · · | - | <u> </u> |
| | | display. In addition to these features, the terminal is equipped with a receiver for acquiring location data from an external positioning system, which may be satellite-based, cellular-based, or any other type capable of tracking the position of an object in an area of interest. Preferably, the receiver is a GPS receiver linked to the data terminal processor."). | |

| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
|------|-----------------|---|---------------------------------------|
| 1,0, | Phrase, Element | Evidence in Support | Evidence in Support |
| | , | '803 Patent, 10:14–26 ("If the remote device is a | |
| | | database in the agent's home office, the database | |
| | | may be loaded with MLS data on a periodic basis | |
| | | so that it is kept up to date. The database may | |
| | | also be furnished with media information and | |
| | | other types of non-MLS data as previously | |
| | | mentioned. When a search is initiated on the | |
| | | terminal, the processor may then acquire | |
| | | information from the database for display on the | |
| | | terminal. The connection between the mobile | |
| | | terminal and remote device may be any type of | |
| | | communications link known. Preferably, the | |
| | | connection is a wireless communications link | |
| | | which is operatively connected to a data modem | |
| | | installed in the mobile terminal. If desired, | |
| | | however, hard-wired connections may be used."). | |
| | | '803 Patent, Figs. 1, 2, 4, 5. | |
| | | See also '803 Patent, 2:26–52, 3:18–36, 5:44–60, | |
| | | 7:46–60, 8:14–29. | |
| | | 7.10 00, 0.11 22. | |
| | | Dictionary/Treatise Definitions: | |
| | | The American Heritage Dictionary (3 rd ed. 1994) | |
| | | (processor: "One that processes, esp. an apparatus | |
| | | for preparing, treating, or converting material. 2. | |
| | | Comp. Sci. a. A computer, b. A central processing | |
| | | unit."). | |
| | | · | |

| No. | Claim Term, Phrase, Element | Plaintiff's Proposed Construction and Evidence in Support | Defendants' Proposed Construction and Evidence in Support |
|-----|--------------------------------|---|--|
| | Phrase, Element | The American Heritage College Dictionary (4 th ed. 2004) (processor: "One that processes, esp. an apparatus for preparing, treating, or converting material. 2. <i>Computer Science</i> . a. A computer. b. A central processing unit. c. A program that translates another program into a form acceptable by the computer being used."). Microsoft Computer Dictionary (4 th ed. 1999) (processor <i>n. See</i> central processing unit, microprocessor). Microsoft Computer Dictionary (4 th ed. 1999) (microprocessor <i>n.</i> A central processing unit (CPU) on a single chip. A modern microprocessor can have several million transistors in an integrated-circuit package that can easily fit into the palm of one's hand. Microprocessors are at the heart of all personal computers. When memory and power are added to a microprocessor, all the pieces, excluding peripherals, required for a computer are present. The most popular lines of microprocessors today are the 680x0 family from Motorola, which powers the Apple Macintosh line, and the 80x86 family from Intel, which is at the core of all IBM PC-compatible computers). | Evidence in Support |

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| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
|-----|-----------------|---|---------------------------------------|
| | Phrase, Element | Evidence in Support | Evidence in Support |
| | | Extrinsic Evidence: | |
| | | Rebuttal Declaration of Mark A. Sturza, ¶¶ 58–66 | |
| | | | |
| | | | |
| | | | |
| | | *To the extent the Court determines this claim | |
| | | term is a means-plus-function term, Plaintiff | |
| | | contends that corresponding structure for the | |
| | | recited function is described in the specification, | |
| | | as cited above. | |
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| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
|-----|-----------------------|--|--|
| | Phrase, Element | Evidence in Support | Evidence in Support |
| 5 | "wherein said | <u>Proposed Construction</u> : | Proposed Construction: |
| | property information | (No construction needed) | |
| | is obtained from a | | Indefinite |
| | remote data source | Intrinsic Evidence: | |
| | and a database stored | '803 Patent, claim 1. | Intrinsic Evidence: |
| | on said data-enabled | | |
| | mobile phone" | '803 Patent, 3:32–44 ("According to another | '803 Patent at 2:40–52 ("In accordance with one |
| | _ | aspect of the invention, the storage unit and/or | embodiment of the invention, the data terminal is |
| | Found in claim | processor may be connected to a remote data | a stand-alone system which includes a map |
| | numbers: | source through a communications link. The | generation unit, a storage unit, a processor, and a |
| | | communication link may be established by a data- | display. The map generation unit generates a |
| | '803 Patent: 1 | enabled mobile phone in the terminal or by | digital map of an area of interest designated by a |
| | | another wireless communications device. The | user. Preferably, the map includes street address |
| | | link may also be formed by a hard-wired | labels and/or other symbols of topological and |
| | | connection, if desired. The remote data source | man-made features in the coverage area. The |
| | | may be a remote server connected to a website | storage unit stores property information derived |
| | | which contains MLS and/or other information. | from an MLS database, media information, |
| | | The server may also be a database in the real- | and/or other customized information which may |
| | | estate agent's office which has been filled with | be considered important to a customer in |
| | | MLS and non-MLS information customized to | purchasing, leasing, or renting property. The |
| | | meet the agent's perceived needs of his buyers. | processor implements management software |
| | | The non-MLS information may include the media | which integrates the property information with |
| | | information (e.g., a digital image or movie clip) | the digital map."). |
| | | previously mentioned."). | 1 / |
| | | | <i>Id.</i> at 3:32–45 ("According to another aspect of |
| | | '803 Patent, 8:45–51 ("Referring to FIG. 4, a | the invention, the storage unit and/or processor |
| | | second embodiment of the system of the present | may be connected to a remote data source |
| | | invention includes a terminal having a map | through a communications link. The |
| | | generation unit 201, a storage unit 202, a | communication link may be established by a |
| | | processor 203, and a display 204. Unlike the first | data-enabled mobile phone in the terminal or by |

| system but rather is a mobile terminal connected to a location-positioning system via a communications link."). | Evidence in Support her wireless communications device. The may also be formed by a hard-wired ection, if desired. The remote data source be a remote server connected to a website th contains MLS and/or other information. Server may also be a database in the real- |
|--|--|
| processor searches the storage unit based on the property information entered by the user, and more specifically to determine a list of available properties in the specified area and/or their accompanying attributes. (Block 230)."). '803 Patent, 10:1–13 ("In another variation of the second embodiment, the terminal of the present invention is connected to a remote storage device. As shown in FIG. 4, this device 300 may be a remote server connected to a network such as the Internet, or a database located, for example, in a real-estate agent's office. In the former case, the remote server may be connected to an MLS website. In operation, when property information is input into the mobile terminal by a user the processor will automatically connect to the remote server. A search will then be performed of the MLS data at this website to obtain the information corresponding to a selected property icon. This data is then returned to the terminal for display."). | e agent's office which has been filled with and non-MLS information customized to the agent's perceived needs of his buyers. non-MLS information may include the a information (e.g., a digital image or movie previously mentioned."). Inal Prosecution File History, 2/19/03 andment at 2 (see amendments to claim 1). In a 13 ("The claims, as amended, require rating and displaying information about a sestate market for a geographical area of set on a mobile computing device. A digital is generated and displayed on the mobile buting device for an area of interest. Serty information for an item of property in rea of interest is obtained from a database d on the mobile device. This property mation includes at least a location, a market and a market status of the item of property. Operty icon associated with the item of serty is displayed on the digital map at the item of the item of property. In response to |

| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
|-----|-----------------|---|---|
| | Phrase, Element | Evidence in Support | Evidence in Support |
| | | '803 Patent, 10:14–26 ("If the remote device is a | the property icon being selected, property |
| | | database in the agent's home office, the database | information about the item of property associated |
| | | may be loaded with MLS data on a periodic basis | with the selected property icon is also |
| | | so that it is kept up to date. The database may | displayed."). |
| | | also be furnished with media information and | |
| | | other types of non-MLS data as previously | <i>Id.</i> at 13-14 ("In addition, Wiese teaches |
| | | mentioned. When a search is initiated on the | accessing a remote system to gather the sales |
| | | terminal, the processor may then acquire | information needed to display symbols at the |
| | | information from the database for display on the | property locations on the map. (Col. 2, lines 62- |
| | | terminal. The connection between the mobile | 67). A shown in Fig. 1, a remote user using |
| | | terminal and remote device may be any type of | CPU 72 would have to go through ISP 44, |
| | | communications link known. Preferably, the | Internet 32 and Server 30 to access value |
| | | connection is a wireless communications link | database 54. In the present invention, the |
| | | which is operatively connected to a data modem | property information is obtained from a data |
| | | installed in the mobile terminal. If desired, | base stored on the mobile computing device."). |
| | | however, hard-wired connections may be used."). | |
| | | 2002 D-44 E' 1 4 | See also Original Prosecution File History, at |
| | | '803 Patent, Figs. 1, 4. | 5/21/03 Notice of Allowability |
| | | See also '803 Patent, 2:27–52, 3:8–12, 4:19–30, | Originally issued claim 1. |
| | | 4:57–5:32, 5:54–6:2, 6:33–41, 7:1–14, 7:30–40, | 2 , |
| | | 7:46–55, 8:14–21, 9:18–25. | Extrinsic Evidence: |
| | | | Expert Declaration of B. Bederson, ¶¶ 73-77. |
| | | '803 Patent File Wrapper, February 19, 2003 | - "" |
| | | Amendment, p. 14 ("In addition, Wiese teaches | Dictionary/Treatise Definitions: |
| | | accessing a remote system to gather the sales | (none) |
| | | information needed to display symbols at the | |
| | | property locations on the map. (Col. 2, lines 62- | |
| | | 67). As shown in Fig. 1, a remote user using CPU | |
| | | 72 would have to go through ISP 44, Internet 32 | |

| No. | Claim Term, Phrase, Element | Plaintiff's Proposed Construction and Evidence in Support | Defendants' Proposed Construction and Evidence in Support |
|-----|--------------------------------|--|--|
| | | and Server 30 to access value database 54. In the present invention, the property information is obtained from a data base stored on the mobile computing device."). | |
| | | U.S. Patent No. 6,323,88 (Wiese) | |
| | | See also '803 Patent File Wrapper, November 30, 2001, Utility Patent Application Transmittal. | |
| | | See also '803 Patent Reexamination Wrapper, Ex Parte Reexamination Interview Summary, dated December 13, 2013; Statement by Patent Owner Under 37 C.F.R. § 1.30, dated December 18, 2013; Office Action in Ex Parte Reexamination, dated April 24, 2014; Response to Non-Final Office Action, dated July 24, 2014; Office Action in Ex Parte Reexamination, dated August 8, 2014; Examiner Interview Summary Record, dated October 1, 2014; Response to Final Office Action, dated October 13, 2014; Ex Parte Reexamination Advisory Action, dated October 24, 2014. | |
| | | Dictionary/Treatise Definitions: (none) | |
| | | Extrinsic Evidence: Rebuttal Declaration of Mark A. Sturza, ¶¶ 67–86 | |

| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
|-----|----------------------|--|--|
| | Phrase, Element | Evidence in Support | Evidence in Support |
| 6 | "wherein said | <u>Proposed Construction</u> : | <u>Proposed Construction:</u> |
| | property information | (No construction needed) | |
| | is obtained from a | | Indefinite |
| | remote data source | Intrinsic Evidence: | |
| | and stored in a | '803 Patent, claim 30. | Intrinsic Evidence: |
| | database on the | | |
| | mobile computing | '803 Patent, 3:32–44 ("According to another | '803 Patent at 2:40–52 ("In accordance with one |
| | device" | aspect of the invention, the storage unit and/or | embodiment of the invention, the data terminal is |
| | | processor may be connected to a remote data | a stand-alone system which includes a map |
| | Found in claim | source through a communications link. The | generation unit, a storage unit, a processor, and a |
| | numbers: | communication link may be established by a data- | display. The map generation unit generates a |
| | | enabled mobile phone in the terminal or by | digital map of an area of interest designated by a |
| | '803 Patent: 30 | another wireless communications device. The | user. Preferably, the map includes street address |
| | | link may also be formed by a hard-wired | labels and/or other symbols of topological and |
| | | connection, if desired. The remote data source | man-made features in the coverage area. The |
| | | may be a remote server connected to a website | storage unit stores property information derived |
| | | which contains MLS and/or other information. | from an MLS database, media information, |
| | | The server may also be a database in the real- | and/or other customized information which may |
| | | estate agent's office which has been filled with | be considered important to a customer in |
| | | MLS and non-MLS information customized to | purchasing, leasing, or renting property. The |
| | | meet the agent's perceived needs of his buyers. | processor implements management software |
| | | The non-MLS information may include the media | which integrates the property information with |
| | | information (e.g., a digital image or movie clip) | the digital map."). |
| | | previously mentioned."). | |
| | | | <i>Id.</i> at 3:32–45 ("According to another aspect of |
| | | '803 Patent, 8:45–51 ("Referring to FIG. 4, a | the invention, the storage unit and/or processor |
| | | second embodiment of the system of the present | may be connected to a remote data source |
| | | invention includes a terminal having a map | through a communications link. The |
| | | generation unit 201, a storage unit 202, a | communication link may be established by a |
| | | processor 203, and a display 204. Unlike the first | data-enabled mobile phone in the terminal or by |

JOINT CLAIM CHART AND PREHEARING STATEMENT Exhibit A Case No. 2:18-cv-00847-JLR

| | laim Term, | Plaintiff's Proposed Construction and Evidence in Support | Defendants' Proposed Construction and Evidence in Support |
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| Phr | ase, Element | embodiment, this terminal is not a stand-alone system but rather is a mobile terminal connected to a location-positioning system via a communications link."). '803 Patent, 9:13–17 ("In a third step, the processor searches the storage unit based on the property information entered by the user, and more specifically to determine a list of available properties in the specified area and/or their accompanying attributes. (Block 230)."). '803 Patent, 10:1–13 ("In another variation of the second embodiment, the terminal of the present invention is connected to a remote storage device. As shown in FIG. 4, this device 300 may be a remote server connected to a network such as the Internet, or a database located, for example, in a real-estate agent's office. In the former case, the remote server may be connected to an MLS website. In operation, when property information is input into the mobile terminal by a user the processor will automatically connect to the remote server. A search will then be performed of the MLS data at this website to obtain the information corresponding to a selected property icon. This data is then returned to the terminal for display."). | another wireless communications device. The link may also be formed by a hard-wired connection, if desired. The remote data source may be a remote server connected to a website which contains MLS and/or other information. The server may also be a database in the realestate agent's office which has been filled with MLS and non-MLS information customized to meet the agent's perceived needs of his buyers. The non-MLS information may include the media information (e.g., a digital image or movie clip) previously mentioned."). Id. at 10:1–13 ("In another variation of the second embodiment, the terminal of the present invention is connected to a remote storage device. As shown in FIG. 4, this device 300 may be a remote server connected to a network such as the Internet, or a database located, for example, in a real-estate agent's office. In the former case, the remote server may be connected to an MLS website. In operation, when property information is input into the mobile terminal by a user the processor will automatically connect to the remote server. A search will then be performed of the MLS data at this website to obtain the information corresponding to a selected property icon. This data is then returned to the terminal for display."). |

| No. | Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
|-----|-----------------|---|---|
| | Phrase, Element | Evidence in Support | Evidence in Support |
| | | '803 Patent, 10:14–26 ("If the remote device is a | Id. at 10:14-26 ("If the remote device is a |
| | | database in the agent's home office, the database | database in the agent's home office, the database |
| | | may be loaded with MLS data on a periodic basis | may be loaded with MLS data on a periodic |
| | | so that it is kept up to date. The database may | basis so that it is kept up to date. The database |
| | | also be furnished with media information and | may also be furnished with media information |
| | | other types of non-MLS data as previously | and other types of non-MLS data as previously |
| | | mentioned. When a search is initiated on the | mentioned. When a search is initiated on the |
| | | terminal, the processor may then acquire | terminal, the processor may then acquire |
| | | information from the database for display on the | information from the database for display on the |
| | | terminal. The connection between the mobile | terminal. The connection between the mobile |
| | | terminal and remote device may be any type of | terminal and remote device may be any type of |
| | | communications link known. Preferably, the | communications link known. Preferably, the |
| | | connection is a wireless communications link | connection is a wireless communications link |
| | | which is operatively connected to a data modem | which is operatively connected to a data modem |
| | | installed in the mobile terminal. If desired, | installed in the mobile terminal. If desired, |
| | | however, hard-wired connections may be used."). | however, hard-wired connections may be used."). |
| | | '803 Patent, Figs. 1, 4. | |
| | | | Original Prosecution File History, 2/19/03 |
| | | See also '803 Patent, 2:27–52, 3:8–12, 4:19–30, | Amendment at 2 (see amendments to claim 1). |
| | | 4:57–5:32, 5:54–6:2, 6:33–41, 7:1–14, 7:30–40, | |
| | | 7:46–55, 8:14–21, 9:18–25. | Id. at 8-9 (amending claim 30). |
| | | | |
| | | '803 Patent File Wrapper, February 19, 2003 | Id. at 13 ("The claims, as amended, require |
| | | Amendment, p. 14 ("In addition, Wiese teaches | generating and displaying information about a |
| | | accessing a remote system to gather the sales | real-estate market for a geographical area of |
| | | information needed to display symbols at the | interest on a mobile computing device. A digital |
| | | property locations on the map. (Col. 2, lines 62- | map is generated and displayed on the mobile |
| | | 67). As shown in Fig. 1, a remote user using CPU | computing device for an area of interest. |
| | | 72 would have to go through ISP 44, Internet 32 | Property information for an item of property in |

| Claim Term, | Plaintiff's Proposed Construction and | Defendants' Proposed Construction and |
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| Phrase, Element | * * | Evidence in Support |
| | | the area of interest is obtained from a database |
| | | stored on the mobile device. This property |
| | | information includes at least a location, a market |
| | computing device."). | price and a market status of the item of property. |
| | | A property icon associated with the item of |
| | U.S. Patent No. 6,323,88 (Wiese) | property is displayed on the digital map at the |
| | | location of the item of property. In response to |
| | · | the property icon being selected, property |
| | 2001, Utility Patent Application Transmittal. | information about the item of property associated |
| | | with the selected property icon is also |
| | 1 | displayed."). |
| | 1 | 11 . 12 14 (() 11'.' XX' 1 |
| | I = = = = = = = = = = = = = = = = = = = | Id. at 13-14 ("In addition, Wiese teaches |
| | | accessing a remote system to gather the sales |
| | 1 7 | information needed to display symbols at the |
| | 1 1 1 1 | property locations on the map. (Col. 2, lines 62- |
| | | 67). A shown in Fig. 1, a remote user using |
| | 1 | CPU 72 would have to go through ISP 44, Internet 32 and Server 30 to access value |
| | · · · · · · · · · · · · · · · · · · · | |
| | <u> </u> | database 54. In the present invention, the |
| | | property information is obtained from a data base stored on the mobile computing device."). |
| | 1 | base stored on the moone computing device.). |
| | 27, 2017. | See also Original Prosecution File History, at |
| | Dictionary/Treatise Definitions: | 5/21/03 Notice of Allowability |
| | • | 3/21/03 Notice of Allowability |
| | (none) | Originally issued claim 30. |
| | Extrinsic Evidence: | Oliginary issued claim 50. |
| | ' | Extrinsic Evidence: |
| | 2 Commission of Mark 11. Starting 07 00 | Expert Declaration of B. Bederson, ¶¶ 78-82. |
| | Claim Term, Phrase, Element | • |

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| No. | Claim Term, Phrase, Element | Plaintiff's Proposed Construction and Evidence in Support | Defendants' Proposed Construction and Evidence in Support |
|-----|--------------------------------|---|--|
| | | | <u>Dictionary/Treatise Definitions:</u> (none) |
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